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IN THE UNITED STAT	ES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA	
United States of America,	No. 12-500M
Plaintiff,	ORDER OF DETENTION
vs.	
Ruben Eddie Juan.	
Defendant.	
In accordance with Title 18 U.S.C. § 31	42 of the Bail Reform Act, a detention hearing
was held in the above-captioned matter.	The Court finds that the Government has
established: (Check one or both, as applicable	2)
by clear and convincing evidence, Defendant is a danger to the community and shall be	
detained pending trial.	
_	Condend in a conjugate flight winter and chall he
by a preponderance of the evidence, be	Tendant is a serious flight risk and shall be
detained pending trial.	INGS OF FACT
prescribed in 21 U.S.C. §§ 801 et seq., 951 et	seq., or 46 U.S.C. App. § 1901 et seq.
	United States of America, Plaintiff, vs. Ruben Eddie Juan, Defendant. In accordance with Title 18 U.S.C. § 31-was held in the above-captioned matter. established: (Check one or both, as applicable to be detained pending trial. by a preponderance of the evidence, Defended detained pending trial. PART I FINDITED (1) There is probable cause to believe that

1	an offense under 18 U.S.C. §§ 924(c), 956(a), or 2332(b).
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3	an offense listed in 18 U.S.C. § 2332b(g)(5)(B) (crimes of terrorism) for which
4	a maximum term of imprisonment of ten years or more is prescribed.
5	an offense involving a minor victim prescribed in
6	an offense involving a minor victim prescribed in
7	(2) Defendant has not rebutted the presumption established by finding (1) that no
8	condition or combination of conditions will reasonably assure Defendant's appearance as
9	required at future court proceedings and the safety of the community.
10	Alternative Findings
11	(1) There is a serious risk that Defendant will flee and no condition or combination of
12 13	conditions will reasonably assure Defendant's appearance as required at future court
	proceedings.
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15	(2) No condition or combination of conditions will reasonably assure the safety of the
16	community or others if Defendant were released from detention.
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18	(3) There is a serious risk that the defendant will (obstruct or attempt to obstruct
19	justice) (threaten, injure, or intimidate a prospective witness or juror).
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22	¹ Insert as applicable: 18 U.S.C. § 1201 (kidnaping); § 1591 (sex trafficking); § 2241 (aggravated sexual abuse); § 2242 (sexual abuse); § 2244(a)(1) (certain abusive sexual
23	contact); § 2245 (offenses resulting in death); § 2251 (sexual exploitation of children); § 2251A (selling or buying of children); § 2252(a)(1), 2252(a)(2), 2252(a)(3) (certain activities
24	relating to material involving sexual exploitation of minors); § 2252A(a)(1), 2252A(a)(2),
25	2252A(a)(3), 2252A(a)(4) (certain activities relating to material constituting or containing child pornography); § 2260 (production of sexually explicit depictions of minors for
26	importation into the U.S.); § 2421 (transportation for prostitution or a criminal sexual activity
27	offense); § 2422 (coercion or enticement for a criminal sexual activity); § 2423 (transportation of minors with intent to engage in criminal sexual activity); and § 2425 (use
28	of interstate facilities to transmit information about a minor).

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4	PART II WRITTEN STATEMENT OF REASONS FOR DETENTION
5	(Check one or both, as applicable)
6	(1) The Court finds that credible testimony and information submitted at the hearing
7	establish by clear and convincing evidence as to danger that:
8	1. Defendant has several convictions for crimes of violence, including Assault, Domestic
9	Violence, Armed Robbery; 2. Defendant has a prior felony conviction for a weapon
10	possession in 2004
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14 15	(2) The Court finds by a preponderance of the evidence as to risk of flight that:
16	☐ Defendant has no significant contacts in the District of Arizona;
17	☐ Defendant has no resources in the United States from which he/she might
18	make a bond reasonably calculated to assure his/her future appearance;
19	☑ Defendant has a prior criminal history;
2021	☑ Defendant has a record of failure(s) to appear in court as ordered;
22	☐ Defendant attempted to evade law enforcement contact by fleeing from law
23	enforcement;
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25	Defendant is facing a minimum mandatory of incarceration and a maximum of if convicted;
26	a maximum or ii convicted,
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☐ Defendant does not dispute the information contained in the Pretrial Services Report, and all supplements, if any, except:
In addition:1. Defendant failed to appear for a pretrial conference in a criminal case in 2004; 2.
Defendant absconded from State parole in 2003 and 2011; 3. Defendant has been un-
employed since his release from ADOC in September 2012; 4. Defendant has a history of
alcohol abuse and illicit drug usage and tested positive for marijuana and methamphe- tamine by PTS upon his arrest in this case. His alcohol abuse and illicit drug usage make
him inherently unreliable and untrustworthy to appear as required.
The Court incorporates by reference the findings of the Pretrial Services report and
all supplements, if any, which were reviewed by the Court at or before the time of the

hearing in this matter.

PART III -- DIRECTIONS REGARDING DETENTION

IT IS ORDERED that Defendant is hereby committed to the custody of the Attorney General or his/her designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. 18 U.S.C. § 3142(i)(2). Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. 18 U.S.C. § 3142 (i)(3). Upon order of a court of the United States or request of an attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal Service for the purpose of an appearance in connection with a court proceeding. 18 U.S.C. § 3142(i)(4).

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PART IV -- APPEALS AND THIRD PARTY RELEASE

IT IS FURTHER ORDERED that should a review of this detention order be filed pursuant to 18 U.S.C. § 3145, it is the responsibility of the movant's attorney to deliver a copy of the motion for review to U.S. Pretrial Services, at least, one day prior to the review hearing set before the assigned District Judge. Pursuant to Rule 59(a), Fed.R. Crim.P. (2010), a party seeking review shall have **fourteen (14) days** to file a motion for review after being served with a copy of this written order, after the oral order is stated on the record, or at some other time the assigned District Judge may set. Failure to timely file a motion for review in accordance with Rule 59(a) may waive the right to review. Rule 59(a), Fed.R.Crim.P.

IT IS FURTHER ORDERED that the issue of detention may be reopened at any time before trial upon a finding that information exists that was not known to the movant at the time of the detention hearing and such information has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of Defendant as required and the safety of any other person and the community. Title 18 U.S.C. § 3142(f).

United States Magistrate Judge

DATED this 4th day of January, 2013.